IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIFTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

W.P. No.18039 of 1994

Between:

1) T.Sudhakar Rao, S/o. Audi Seshaiah.
Koruturu Village, Indukurpet Mandal,
Nellore District.

2) Akkala Nagendramma, W/o. Rangaiah.
Koruturu Village, Indukurpet Mandal,
Nellore District.

..... PETITIONERS

AND

1) The Assistant Director of Fisheries, Nellore,

Nellore District.

2) The Project Director, District Rural Development Agency,
Nellore District, Nellore.

3) The District Collector, Nellore.

4) The Revenue Divisional Officer, Nellore,

Nellore District

5) The Mandal Revenue Officer, Indukurpet,
Nellore District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ or direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the respondents in considering the representations of the petitioners for the assignment of Ac.5-10 cents of land comprised in Sy.No.626, 627 and 637 of Mypadu Village, Indukurpet Mandal, Nellore District, as illegal, unjust and direct the respondents to consider the cases of the petitioners either under G.O.Ms.No.6 Animal Husbandary and Fisheries (Fish-II) Department, dated 06-01-1994 or under assignment rules and pending consideration thereof not to dispossess the petitioners from the above extent of the lands.

Counsel for the Petitioners: MR.P. SRIDHAR REDDY

Counsel for Respondent Nos.1 to 5: GP FOR FISHERIES

The Court made the following :

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ORDER:

In the counter affidavit filed by the Assistant Director of Fisheries, Nellore, it is submitted that the lands in question are not identified and notified for Brackish Water Aqua culture under G.O. Ms. No.6, dated 06-01-1994, so as to be allotted to the petitioners on assignment. It is thus clear that in the absence of identification and notification of the lands in question for Brackish Water Aqua culture, the question of allotment under G.O. Ms. No.6, dated 06-01-1994, in favour of the petitioners does not arise.

The Writ Petition deserves dismissal and the same shall accordingly stand

dismissed without any order as to costs.

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B. SUDERSHAN REDDY, J

Date:25-11-2004.

PV

To

1) The Assistant Director of Fisheries, Nellore, Nellore Dist.

2) The Project Director, District Rural Development Agency, Nellore District, Nellore.

3) The District Collector, Nellore.

4) The Revenue Divisional Officer, Nellore.

5) The Mandal Revenue Officer, Indukurpet, Nellore.

6) Two C.Cs. to G.P. for Fisheries, High Court Building,

Hyderabad. (O.U.T.).

7) Two C.D. copies.